



For the Parents

A day in the life of the Office of Children's Issues

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Boy reunited with his mother. A Tribune photo taken by Michael Tercha in July 2004.

On the evening July 23, 2004, the U.S. Embassy in Dublin called the American Citizen Services duty officer to report the abduction of a 9-year old Irish child from his home in Chicago to Ireland by his maternal grandparents. This call, along with the mother's call to Illinois law enforcement, put into motion a series of actions that, three months later, resulted in the child's return to the United States.

The Office of Children's Ireland case officer first worked with the mother and the U.S. Embassy in Dublin to try and convince Irish Authorities to take the child into protec-

tive custody and return him to the United States immediately. When this failed, the Office of Children's Issues helped the mother file an application for return under the Hague Abduction Convention.

The Office of Children's Issues was the primary facilitator for coordinating the different entities and officials involved in the return of the child. Children's Issues caseworkers obtained copies of police reports from local authorities; CI officers coordinated with the U.S. Department of Justice and the Irish Attorney General's office on the extradition request.

The news media in Chicago and Ireland, as well as Representative Philip Crane of Illinois, and other federal and state officials followed the case as it developed. The congressman's office consulted with the Office of Children's Issues as the case developed.

The Irish Central Authority appointed a legal aid solicitor (attorney) to represent the mother in the Hague proceedings. The

Irish court determined that the child should be returned to the United States. Because of the grandfather's threats, the Office of Children's closely worked with the Irish Centre for Parentally Abducted Children and the National Center for Missing and Exploited Children, who ultimately paid transportation and housing costs for the mother and her 17-year old son to travel to Ireland in late October for the hearing. The Office of Children's Issues frequently coordinated with the U.S. Embassy, who escorted the mother and her two children to the airport for the flight home.

The community gave a welcome home reception for the family. The child met with his school psychologist before deciding to participate in a press conference. He said he was just glad to be back home with his family.

This is just one more example where Children's Issues helped coordinate the activities of many individuals and agencies coordinated to ensure that a child is returned safely.

Sharing and Improving For the Parents

- **For the Parents** is available on our Website at travel.state.gov/children's_issues.html
- Suggestions for improving this newsletter are welcome. Email us at askci@state.gov.

Judicial Training

The Department of State actively encourages successful implementation of the Hague Convention on the Civil Aspects of International Child Abduction in our partner countries around the world. A Convention signatory's highest priority is to raise awareness among the judiciary and legal community of the existence of the Convention, its contents and proper applications. Countries receive the required specialized training as they accede to the Convention.

Over the past year, the Office of Children's Issues has participated in a series of judicial training seminars in several countries, including Mexico, Costa Rica, and El Salvador. Officers from Children's Issues represented at the training bring back the depth and knowledge acquired

to share with colleagues. These seminars bring together experts from various countries and organizations to discuss how the Convention operates. The audience is composed of Judges, attorneys, and government officials responsible for coordinating Hague cases. One such seminar, jointly organized by the Department of State, the Hague Conference on Private International Law, Instituto Tecnológico de Monterrey, American Bar Association, and the Texas-Mexico Bar Association, was held in Monterrey, Mexico in December, 2004. Over 100 people attended, including representatives from 20 countries in North, Central, and South America. The event broadened exposure to the Convention, giving judges opportunities to discuss sample cases, and establish a transna-

tional network for judges and others who work with the Hague Convention. The seminar was beneficial as well in encouraged attending countries to host their own national-level seminars.

One judge from the State of Illinois said: "As a significant percentage of the removals that our jurisdiction deals with are to/from in South America, the opportunity to develop relationships with Judges and Central Authority personnel from these countries will hopefully produce greater cooperation and understanding in this area. This will assist in facilitating a return of the removed child to the country of habitual residence."

Prevention Unit - Meet Us!

The Prevention Unit is celebrating its second anniversary as a distinct, integral unit within the Office of Children's Issues. We respond to public and congressional inquiries on measures parents can take to prevent a child from being abducted internationally. The Prevention Unit also administers the Children's Passport Issuance Alert Program (CPIAP). Coordinating with individual country abduction officers in the Abduction Unit, we ensure that the appropriate officer is aware of prevention cases concerning his or her areas of responsibility. Each member of our team brings a set of expertise and experience to the Pre-

vention Unit. As NCMEC Liaison and Prevention Unit Chief, Sharon L. Carper has consular overseas' expertise in areas of passports, nationality issues, and abduction/return programs. Sharon says, "I'm very happy to assist parents in our liaison work with the National Center for Missing and Exploited Children."

Saynora Pittman, a prevention specialist, says, "I just like helping people! If we prevent one abduction from taking place, then we've done well!" A specialist on a number of preventive measures, Karal Busch works

"I just like helping people! If we prevent one abduction from taking place, then we've done well!"



From left top: Karal Busch, Carolina Melara, Micah Mills. From left bottom: Andrea R. Mihailescu, Sharon Carper, Saynora Pittman, Lara Borg.

closely with the Prevent Departure Program. Micah Mills works specifically on cases relating to Mexico and speaks Spanish. Micah says, "I enjoy knowing I am keeping children from the pain of being victims of international parental child abduction." As the newest member of the team, Andrea R. Mihailescu assists parents with questions about passport issuance and fraud and says, "I'm glad to be part of a process that helps children in the midst of parental disputes." Carolina Melara is on temporary assignment with our team for the summer and Lara Borg is interning with the unit until end of July.

Ron Laney – Child Protection Division at the Department of Justice

Ron Laney is the Associate Administrator of the Child Protection Division within the Office of Juvenile Justice and Delinquency Prevention in the Department of Justice (OJJDP). Mr. Laney works closely with the Office of Children's Issues in his role as the chairman of the Federal Agency Task Force on Missing and Exploited Children, a group of government representatives from the departments of Justice, State, Health and Human Services, Defense, Education, HUD, the U.S. Secret Service, the FBI, the National Center for Missing & Exploited Children, and Diplomatic Security. The group has been meeting for many years to discuss issues, practices, and concerns relat-

ing to Federal agency roles, responsibilities, and jurisdictions in international abduction cases.

As the Associate Administrator of the Child Protection Division since February 2000 and with the Department of Justice since 1976, Mr. Laney administers projects, programs, and initiatives related to crimes against children and children exposed to violence. Before, Mr. Laney served within OJJDP as the Director of the Missing and Exploited Children's Program and also as the Law Enforcement Program Manager where he developed a series of National Law Enforcement Training programs that are still offered throughout the country today.

From making schools safer from crisis to preventing child abductions, Mr. Laney has dedicated his professional career to the juvenile justice system. Although the law enforcement response to missing and exploited children has progressed considerably over the past two and half decades, Mr. Laney stresses the importance of continued commitment to missing and exploited children. Since DOJ made AMBER an official initiative, 80% of all children were recovered. Mr. Laney says, "Kids are our nation's most important and vulnerable resource and, as a nation, we can't afford to do anything less."

Annual Compliance Report

The Department of State actively encourages our treaty partners to fulfill their obligations under the Hague Convention on the Civil Aspects of International Child Abduction. An important tool in this effort is the annual Hague Compliance Report, a Congressionally-required report that evaluates partner country effectiveness in implementing the Convention related to applications submitted by left-behind parents for the return of their children. Currently, the United States has a treaty relationship under the Convention with 55 countries. The latest report, sent to Congress in April, covers the period from October 1, 2003 to September 30, 2004.

Preparation of each year's report begins long before its submission to Congress, as the Department and our overseas posts engage foreign governments in discussions about what we perceive as problems in a country's implementation of, and compliance with, the Convention.

This dialogue is an important aspect of our bilateral efforts. Maura Harty, the Assistant Secretary of Consular

Affairs, traveled extensively to discuss impediments to compliance with foreign counterparts. U.S. Ambassadors also used diplomatic pressure to urge countries such as Ecuador, Turkey, and Mexico to improve their handling of individual cases subject to the Convention.

Such senior-level dialogue is an important aspect of our bilateral efforts. It has helped us identify not just systemic problems, but also potential solutions, such as training for countries whose judiciaries lack extensive experience with Hague Convention cases. With the assistance of senior officers from The Hague Permanent Bureau and a number of experienced U.S. judges, the Department of State helped organize and fund training for judges and Central Authorities from the United States, Canada, Spain, Mexico, Uruguay, Argentina, Chile, Brazil, Columbia, Ecuador, Belize, El Salvador, Panama, Peru, and Venezuela.

The State Department is also working with foreign officials to improve the enforcement of court decisions and the work of law enforcement officials to locate abducted children. We have found

that diplomatic pressure on Central Authorities can be effective in obtaining the enforcement of a return order that is not well-received by the child's relatives, the media, or other local interests. We continue to engage law enforcement officials in Convention countries to make concerted efforts to locate and take custody of the children wrongfully abducted.

Among the changes to the rankings of countries in this year's report, we noted compliance improvements by Israel, Mexico, Romania, and Switzerland. In Chile, Greece and Panama. However, compliance problems appeared greater than in past review periods. You can find the text of this year's report and past compliance reports on our website at http://travel.state.gov/family/abduction/hague_issues_578.html.

The State Department's efforts to seek better compliance of the Convention continue throughout the year. It is our goal to have next year's report reflect genuine progress in compliance with the Convention around the world to the benefit of U.S. families.

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For the Parents

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http://travel.state.gov/family/family_1732.html



Michelle Bernier-Toth, Deputy Director
of Children's Issues (CI)

Q: How long have you been with CI and what is your role in the office?

A: I joined CA/OCS/CI in March 2003, initially as Director. I later converted to Civil Service as Deputy Director, for both professional and family reasons.

Q: How has CI grown since you've been here?

A: We've created the Prevention Unit, and are adding new Abduction Case officers.

Q: Do you believe CI is achieving its mission?

A: Our mission is to return wrongfully removed and retained children to their habitual residence in the U.S., as well as to

assist parents seeking access to their children overseas. In many cases, we succeed. In others, we are still trying. We don't give up.

Q: Has CI achieved all you wanted it to achieve?

A: I'm very ambitious. For all we have done, there is always more we can do to provide the best possible service.

Q: Where do you see CI going?

A: We will continue to work with other Hague partners to enhance understanding and implementation of the Convention, to the benefit of the children and parents involved. We will also continue to encourage non-Hague countries to find systemic solutions to the trauma of abduction, and emphasize the need for parents and children to maintain contact even as we pursue an abducted child's return. This will involve further diplomatic effort, as well as cooperation with the Hague Conference on Private International Law and other multilateral organizations.

Q: You will shortly leave CI to become the Director of American Citizen Services (ACS) and Crisis Management. What will you miss the most about working in CI?

A: I'll miss the terrific and very dedicated people I have had the honor to work with, certainly within the office but also among the parents, government agencies, private organizations, and foreign governments, all people who share our commitment to the protection of children. I'll miss the excitement of knowing a child has safely returned to his or her parent.

Q: Do see new role in ACS and CI linking? If so, how?

A: Absolutely. Both offices are dedicated to protecting Americans abroad, with special emphasis on children. CI and ACS necessarily work closely together on a number of cases, such as when an abducted child returns to the U.S. - ACS helps with many of the logistical arrangements. And I've learned a great deal about the importance of bilateral diplomatic efforts and interagency cooperation that will prove useful in my new job.

Interview with one of CI's Finest, Michelle Bernier-Toth